



EV372459205

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 09/882,564
Filing Date June 15, 2001
Inventor Karlfrid Osterried
Assignee Carl Zeiss SMT AG
Group Art Unit 2873
Examiner T.J. Thompson
Attorney's Docket No. LO26-002
TITLE: Device for Mounting an Optical Element, For Example a Lens Element in a Lens

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF DRAWING INCONSISTENCY
WITH SPECIFICATION DATED JULY 15, 2004

In response to the Notice of Drawing Inconsistency With Specification dated July 15, 2004, please find enclosed 2 sheets of Formal Drawings with Figs. 1-9 which were filed with the original filing of this patent application. These Formal Drawings are identical to those previously submitted to the United States Patent and Trademark Office on February 20, 2003. A copy of the Postcard date stamped by the USPTO (and our Ex-Post Declaration) is included which lists 2 sheets of drawings that include Figs. 1-9. This evidence demonstrates that Figs. 4, 5 and 9 are contained in the Drawings and were presented to the Patent Office at the time of filing of this application, contrary to the alleged inconsistency stated by the Patent Office. Accordingly, the Patent Office is in error and Applicant respectfully requests withdrawal of the alleged inconsistency.

In order to expedite the issuance of this application, red-line drawings of Sheet 1 which includes Figs. 4 and 5 and red-line drawings of Sheet 2 which includes Fig. 9 are


provided with the set of Formal Drawings. Please enter the enclosed formal drawings in the above-referenced application.

Acknowledgment of receipt of the formal drawings and their acceptance into the file is requested

Respectfully submitted,

Date: 7-30-04

By:



D. Brent Kenady
Reg. No.: 40,045

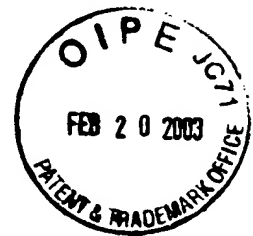


LO26-002 (DBK)
Carl-Zeiss-Stiftung

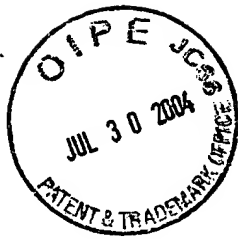
February 20, 2003

The stamp of the U.S. Patent and Trademark Office acknowledges receipt of the following papers relating to the Patent application of ~~Carl-Zeiss-Stiftung~~, Serial No. 09/882,564, filed June 15, 2001, entitled "Device for ~~Mounting an Optical Element~~, For Example a Lens Element in a Lens".

1. Return Postcard Receipt
2. Transmittal Form
3. Response to November 20, 2002 Office Action
4. Substitute Drawing Request
5. 2 sheets of formal drawings (Figs. 1-9).



EV085425652



EV 085425652 US



UNITED STATES POSTAL SERVICE®

Finance Copy

Label 11-F October 2001

Post Office To Addressee

ORIGIN (POSTAL USE ONLY)			DELIVERY (POSTAL USE ONLY)		
PO ZIP Code 99236	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second <input type="checkbox"/>	Flat Rate Envelope <input type="checkbox"/>	Delivery Attempt Mo Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Date In 2 26 03 Mo Day Year	<input type="checkbox"/> 12 Noon <input checked="" type="checkbox"/> 1 PM	Postage \$	Delivery Attempt Mo Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Time 17:43	Military <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Return Receipt Fee <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Delivery Date Mo Day	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Weight 0.6 lbs. ozs.	Int'l Alpha Country Code	COD Fee Insurance Fee	<input type="checkbox"/> NO DELIVERY <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday		
No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials A	Total Postage & Fees \$	Customer Signature		
CUSTOMER USE ONLY			Federal Agency Acct. No. or Postal Service Acct. No.		
METHOD OF PAYMENT: Express Mail Corporate Acct. No. X992332					
FROM: (PLEASE PRINT) WELLS ST. JOHN P.S. 601 W 1ST AVE STE 1300 SPOKANE WA 99201-3828			TO: (PLEASE PRINT) BOX NON-FEE AMENDMENT ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, DC 20231 DBK/rts LO26-002		

PRESS HARD.
You are making 3 copies.

FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com



EV 085425652

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION SERIAL NO. 09/882,564
 FILING DATE June 15, 2001
 INVENTORSHIP Karlfrid Osterried
 ASSIGNEE Carl-Zeiss-Stiftung trading as Carl Zeiss
 GROUP ART UNIT 2873
 EXAMINER T.J. Thompson
 ATTORNEY'S DOCKET NO. LO26-002
 TITLE: Device for Mounting an Optical Element, For Example a Lens Element in a Lens



EX POST DECLARATION OF EXPRESS MAILING

I hereby declare that I have deposited the below-listed papers with the United States Postal Service "Express Mail Post Office to Addressee" service, addressed and posted as indicated below, in compliance with 37 CFR 1.10. The Express Mail label No. has been placed on one or more of the papers listed.

Express Mail Number: EV 085425652 US
 Date of Deposit: February 20, 2003
 Time of Deposit: _____ AM/PM
 Deposited By: ☒ Delivery to Postal Employee
 ☐ Placed in Drop Box
 Addressee: Box Non-Fee Amendment
 Assistant Commissioner for Patents
 Washington, D.C. 20231

Place of Deposit:

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> U.S. Post Office (Paulsen Bldg. Br.)
421 West Riverside, Room 201
Spokane, Washington 99201
Last Scheduled Drop Box Pickup: 4:40 pm | <input type="checkbox"/> U.S. Post Office (DIST. CTR.)
2928 S. Spotted Road
Spokane, Washington 99202
Last Scheduled Drop Box Pickup: 9:00 pm |
| <input type="checkbox"/> U.S. Post Office (Riverside Station)
904 West Riverside
Spokane, Washington 99201
Last Scheduled Drop Box Pickup: 5:00 pm | <input checked="" type="checkbox"/> U.S. Post Office <i>BARNEY'S SUPERMARKET</i>
<i>Branch</i>
<i>11205 E. DISMAN-MICA RD.</i>
Last Scheduled Drop Box Pickup: _____ am/pm |

Listing Of Items Enclosed In Mailing:

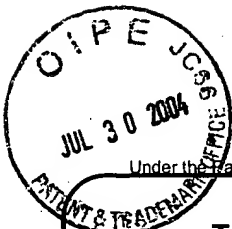
1. Return Postcard Receipt
2. Transmittal Form
3. Response to November 20, 2002 Office Action
4. Substitute Drawing Request
5. 2 sheets of formal drawings (Figs. 1-9)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of the application or any patent issued therefrom.

Dated this 20th day of February, 2003 at Spokane, Washington.

D. Brent Kenady

DBK/rt

08-02-04
EV372459205IFW
B 95

PTO/SB/21 (02-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/882,564	
	Filing Date	June 15, 2001	
	First Named Inventor	Karlfrid Osterried	
	Art Unit	2873	
	Examiner Name	T.J. Thompson	
Total Number of Pages in This Submission	9	Attorney Docket Number	1026-002

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) Red-line & Formal <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard; 2 sheets of red-line draw. & 2 sheets of formal drawings.
Remarks Charge any additional fees required under 47 CFR 1.16 and 1.17 and credit overages to 23-0925.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

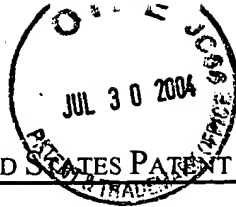
Firm or Individual name	D. Brent Kenady - Reg. No. 40,045 Wells St. John P.S. - Customer No. 021567		
Signature			
Date	7-30-04		

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	VIA EXPRESS MAIL		
Signature		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



EV372459205

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

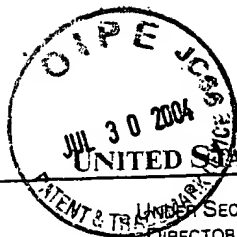
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,564	06/15/2001	Karlfrid Osterried	LO26-002	9885
21567	7590	07/15/2004	EXAMINER	
WELLS ST. JOHN P.S. 601 W. FIRST AVENUE, SUITE 1300 SPOKANE, WA 99201			THOMPSON, TIMOTHY J	
			ART UNIT	PAPER NUMBER

2873

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

09/882,564



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION

The drawings filed 2-20-03 have been received. However, an inconsistency exists between the drawings and the Brief Description of the Drawings in the specification.

Figures 4, 5, 9 are listed in the Brief Description of the Drawings in the specification but not contained in the Drawings.

Figures _____ are contained in the Drawings but not listed in the Brief Description of the Drawings in the specification.

Applicant is required to correct the above-noted inconsistency within a time period of **ONE MONTH or THIRTY (30) DAYS, whichever is longer**, from the mailing date of this Notice, or within the time remaining in the time period set forth in the Notice of Allowability (Form PTOL-37) to file corrected drawings, whichever is longer. **NO EXTENSION OF THIS TIME PERIOD MAY BE GRANTED UNDER EITHER 37 CFR 1.136 (a) OR (b)**

Failure to correct the above noted inconsistency will result in **abandonment** of the application.

The file will be held in the Publishing Division to await the correction of the inconsistency.

Return Corrected Drawings/Specification to:

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450

Alexandria, VA 22313-1450

Office of Patent Publication/Publishing Division
Customer Service: 703-308-6789
1-888-786-0101

FORM PTO-1631 (REV. 10-03)